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PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

Attorney Docket No. 015631007110

First Inventor

MURPHY, ERIN E., et. al.

Title

MAMMALIAN GENES; RELATED REAGENTS

Express Mail Label No.

EL 769991012 US

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning design patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 111]
(preferred arrangement set forth below)
- Descriptive title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C.113) [Total Sheets 6]
5. Oath or Declaration [Total Pages 6]
- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

ADDRESS TOAssistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☒ paper number of pages 84-110
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other:

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

CLICK

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)of prior application No: 09/351,777 / 07/12/99

Prior application information:

Examiner E. O HARAGroup Art Unit: 1646

For **CONTINUATION** or **DIVISIONAL APPS** only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

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or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Frank J. Mycroft

Registration No. (Attorney/Agent)

46946

Signature

Frank J. Mycroft

Date

April 23, 2001

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DNAX RESEARCH INSTITUTE

901 California Avenue
Palo Alto, CA 94304-1104
(650) 852-9196

ASSISTANT COMMISSIONER FOR PATENTS
Box: Patent Application
Washington, D. C. 20231

Honorable Sir:

Transmitted herewith for filing under 37 CFR 1.53(b) is the:
☒ patent application, ☐ continuation patent
application, ☐ divisional patent application
☐ continuation-in-part (CIP) patent application of:

**MAMMALIAN GENES; RELATED
REAGENTS**

**Inventors: Erin E. Murphy, Jeanine D. Mattson, Elizabeth Esther Mary Bates, Daniel M. Gorman
and Serge J.E. Lebecque**

1. ☒ This application claims priority from each of the following Application Nos./filing dates:
United States Provisional Patent Application No. 60/099,999, filed September 11, 1998.
United States Provisional Patent Application No. 60/093,897, filed July 23, 1998.
United States Provisional Patent Application No. 60/092,658, filed July 13, 1998.

2. ☐ Please amend the specification by replacing the first paragraph with the following:

3. Enclosed are:

☒ RETURN RECEIPT POSTCARD

☒ PATENT APPLICATION TRANSMITTAL EL 263 586 565 US: 1 Page (in duplicate)

☒ DECLARATION BY INVENTORS/POWER OF ATTORNEY: 3 Pages: ☐ Signed ☒ Unsigned

☒ PATENT APPLICATION TITLE PAGE: 1 Page (unnumbered)

☒ SPECIFICATION: 76 Pages: 1 through 76

☒ CLAIMS (20 claims): 7 Pages: 77 through 83

☒ SEQUENCE LISTING: 27 Page(s): 84 through 110

☐ -0- sheet(s) of ☐ formal ☐ informal drawing(s)

☒ ABSTRACT: 1 Page: not numbered

☒ Sequence Transmittal (2 pages), diskette and paper print-out (27 pages)

**In view of the Unsigned Declaration as filed with this application
and pursuant to 37 CFR § 1.53(d), Applicant requests deferral of
the filing fee until submission of the Missing Parts of Application.**

Please charge DNAX Deposit Account No. 04-1239 as follows:

- ☒ Any additional fees associated with this paper or during the
pendency of this application

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Date of Deposit: July 12, 1999

Atty. Docket No.: SF0818K

I hereby certify that this is being deposited with the United States
Postal Service "Express Mail Post Office to Addressee" service
under 37 CFR 1.10 on the date indicated above and is addressed
to the Commissioner of Patents and Trademarks, Box: Patent
Application, Washington, D. C. 20231.

By Lois E. Miller July 12, 1999
Lois E. Miller July 12, 1999

Respectfully submitted,
DNAX RESEARCH INSTITUTE

Edwin P. Ching
Edwin P. Ching
Reg. No. 34,090

July 12, 1999
July 12, 1999



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete if Known

Application Number
Filing Date
First Named Inventor MURPHY, ERIN E., et al.
Examiner Name
Group Art Unit
Attorney Docket No. 015631007110

TOTAL AMOUNT OF PAYMENT (\$ 710)

14921 U.S. PTO
09/040795
04/23/01



METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																																																	
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 20-1430</p> <p>Deposit Account Name: Townsend and Townsend and Crew LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Large Entity Fee (\$)</th> <th>Small Entity Fee Code</th> <th>Small Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - 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<p>*or number previously paid, if greater; For Reissues, see above</p>				<p>Other fee (specify) _____</p> <p>*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0)</p> <p>The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.</p>																																																																																																																																																																																	

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	FRANK J. MYCROFT	Registration No. Attorney/Agent)	48,948	Telephone	415/576-0200
Signature	Frank J. Mycroft		Date	April 23, 2001	

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